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**STATE OF TENNESSEE
DEPARTMENT OF ENVIRONMENT AND CONSERVATION
NASHVILLE ENVIRONMENTAL FIELD OFFICE
537 BRICK CHURCH PARK DRIVE
NASHVILLE, TENNESSEE 37243-1550**

March 17, 1995

Mr. Fred Stroud, On Scene Coordinator
US EPA, Waste Management Branch
Emergency Response and Removal
345 Courtland Street, NE
Atlanta, GA 30365

RE: J.P. Saad, Nashville
Nashville, Tennessee
TN ID No. 19-533

Dear Mr. Stroud:

This letter is to summarize the view of this office with regard to the JP Saad site. As you are aware this site has been and still is a threat to the health and environment of the citizens of Tennessee. Since the late 1970's the State has identified and attempted to resolve the hazard this site has created.

The JP Saad site, although only 0.4 acres, contained; aboveground and belowground tanks, buried drums, and pools of oil, contaminated and saturated soil, with Volatile organics, Metals, and waste oil products. The Saad site property owners were issued Commissioner's Orders from other Divisions prior to their involvement with the TDSF. In 1985 the site was promulgated by the TDSF and a Commissioners Order was issued in 1989 mandating a cleanup of this site. The Order was never complied with and finally in 1990 the TDSF requested assistance from the US EPA.

Since the EPA has become involved with this site, much has been done to remove/remediate the continuing source of contamination. The State did not and does not have the resources to contend with such a complex group as this and appreciates the great efforts required to deal with hundreds of Responsible Parties and their attorneys. However, saturated and contaminated soil remain onsite leaching into the groundwater of this State and potentially threatening Nashville's wildlife refuge at Grassmere Park. As you are aware, contaminants similar to those on the Saad site have been documented in the spring that flows through this park.

Recently, the Saad Site Steering Committee delivered copies of letters to you with their opinions of the Saad site and its status. I would like to share a few comments this office has on this correspondence.

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The SSSC is under the belief no one can come in contact with the site soils. This is not true. Every time any work is planned for this location a court hearing must be conducted to gain access from the current owner of the property, whom normally runs a business on this land.

The SSSC has stated that groundwater onsite is not Drinking Water. The groundwater beneath this site is classified as Drinking Water. The State can not overlook the continued contamination of groundwater from this site.

The SSSC has stated that this site is not a Superfund site. This site was promulgated by the State of Tennessee in 1985 and that makes it a Superfund site. Further, the site did not score as a National Priority List site in the early 1980's according to the Hazard Ranking System used to rank the site at that time. The original HRS was revised and amended in 1986 due to flaws in the original scoring system. The current model was enacted by the government in 1986 and published in the Federal Register (55 FR. 51532) on December 14, 1990. The revised HRS considers the value of recreational use of surface waters, contamination of the human food chain and drinking water supplies. If this site were ranked using this model it would have had the potential to be an NPL site.

The SSSC retained DRE Technologies Inc. In 1992 to conduct a removal action and investigate response action alternatives. Response alternatives were developed in conformance with the NCP (40CFR 300). I can not expound on all the details of the analysis for response in this letter, however, as a technical evaluator it appears as though removal and disposal are the most obvious and straight forward actions available that will end the constant contamination of the environment from this site.

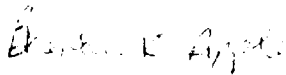
I understand the SSSC has already conducted five actions at this site. It is our understanding that it was the Responsible Parties that requested the phased approach. In looking back one has to wonder had a complete removal been undertaken years ago, how much cost would it have saved and how much less damage to the environment would have taken place. But, the RP's elected a phased approach and preferred to pay for remobilization costs, additional attorney fees, and associated cost for an entire environmental group as technical advisors (DeMaximus). During trenching operations in 1992, drums of waste were still being encountered. The drums were removed and disposed of by the RP's. But, visibly saturated stained soil was sampled and returned to the site because the SSSC preferred the phased approach.

Finally, I would like to commend the EPA on its ability to deal with so many attorneys and others retained to represent the Responsible Parties for this site. The State resources would definately be taxed considering the complexity of dealing with so many RP's. I will repeat, once again, the Divisions viewpoint on the EPA State relationship with this site and future intentions. The TDSF will work with the SSSC to complete work at the site, only when the EPA Removal program has completed its task. The

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RI/FS will complete the information necessary to hopefully delist this site. The TDSF expects the RI/FS to be a study concerning final impact on groundwater. Again you have our appreciation for work EPA has been able to do and the leadership you have shown. The EPA legal branch and the removal program have our sincere appreciation and cooperation, and expect that you will oversee the Saad site until the removal is complete.

Sincerely,



Brenda K. Apple
Nashville Field Office Manager
Tennessee Division of Superfund

xc: TDSF Central Office